

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DAVID A. JOHNSON,  
Plaintiff,  
v.  
DOUG WADDINGTON, et al.,  
Defendant

Case No. C08-5644RBL

**ORDER DISMISSING CASE  
WITHOUT PREJUDICE**

The Court, having reviewed the petition for habeas corpus, the Report and Recommendation of Judge J. Kelley Arnold, United States Magistrate Judge, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation.
  - (2) Plaintiff's causes of action are DISMISSED without prejudice.
  - (3) The Clerk is directed to send copies of this Order to petitioner and to Judge Arnold.

DATED this 13<sup>th</sup> day of February, 2009.

Ronald B. Leighton  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE